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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MANUEL VASQUEZ MARTINEZ, individually and on  
behalf of all others similarly situated,

Civil Docket No.: 22-cv-09860  
(NSR)

Plaintiff,

-against-

JMD PRECISION TECH LLC and JESUS MANUEL  
DONES, as an individual,

**DEFAULT JUDGMENT**

Defendants.  
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This action was commenced by the filing of a Summons and Complaint on November 18, 2022 (ECF Dkt. 1), and true and correct copies of the Summons and Complaint were served on Defendants, as follows:

1. On November 28, 2022, Corporate Defendant JMD PRECISION TECH LLC was duly served with process via Corporate Filings of New York as registered agent. (ECF Dkt. 9).
2. On November 30, 2022, Corporate Defendant JMD PRECISION TECH LLC was also duly served with process at Defendants' place of business by personally serving Amy Vitolo, office manager, authorized to accept service at 225 Route 82, Suite#5, Fishkill, NY 12524. (ECF Dkt. 7).
3. On December 6, 2022, Corporate Defendant JMD PRECISION TECH LLC was duly served with process via the Office of the Secretary of State, pursuant to N.Y. Business Corporation Law § 306. (ECF Dkt. 8).
4. On November 30, 2022, a copy of the Summons and Complaint was served on individual Defendant JESUS MANUEL DONES, by personally serving Amy Vitolo, co-worker, a person of suitable age and discretion at 225 Route 82, Suite#5, Fishkill, NY 12524. (ECF Dkt. 7-1).

5. Defendants JMD PRECISION TECH LLC, and JESUS MANUEL DONES, as an individual, were required to interpose an answer to plaintiff's complaint due by December 27, 2022 and December 21, 2022, respectively, which they have failed to do. *Id.*
6. Defendant JESUS MANUEL DONES failed to develop any information that he was in the military upon service of process on each of the above-referenced dates of service, and it is respectfully submitted that Defendant JESUS MANUEL DONES is not in active military service nor dependent upon anyone in active military service.
7. Defendant JESUS MANUEL DONES is not an infant nor an incompetent; Defendant JESUS MANUEL DONES is the adult, competent owner of the Defendant corporate entity sued herein.
8. On December 15, 2022, an attorney appeared in this matter on behalf of all Defendants (ECF Dkt. 10); however, on January 30, 2022, and without ever answering Plaintiff's Complaint, Defendants' attorney moved to withdraw as attorney for all Defendants (ECF Dkt. 14), which motion was granted by this Court on January 31, 2022. (ECF Dkt. 15).
9. In doing so, the Court ordered, *inter alia*, that "Defendants shall retain new counsel who shall file a Notice of Appearance within 30 days of the date of this Order" (*Id.*), which, to date, Defendants have failed to do.
10. To date, both Defendants have failed to retain or be represented by any new counsel, nor have the Defendants formally appeared in this matter since that time.
11. On August 3, 2023, counsel for Plaintiff MANUEL VASQUEZ MARTINEZ filed Request for Certificates of Default and such Default was noted by the clerk of the Court on August 3, 2023, as against Defendants JMD PRECISION TECH LLC and JESUS MANUEL

DONES, as an individual, for their failure to appear or defend in this Action. (ECF Dkts. 19-24).

12. On August 3, 2023, Plaintiff served the Defendants with true and correct copies of the Certificates of Default entered against Defendants, via certified United States First-Class Mailing, with proof of service and tracking annexed thereto. (ECF Dkt. 25).
13. On or about September 13, 2023, Plaintiffs moved, by order to show cause, for a default judgment in a sum certain against the Defendants. (ECF Dkts. 30-40).
14. In response thereto, on September 13, 2023, the Court “ORDERED, that Defendants show cause on or before the 20th day of October, 2023, at 10:00 a.m. ... why a Default Judgment should not be entered against Defendants JMD Precision Tech LLC, and Jesus Manuel Dones, as an individual.” (ECF Dkt. 30).
15. Plaintiff served Defendants with the Court’s show cause order on September 13, 2023, and filed proof of service on the Court’s docket. (ECF Dkt. 31).
16. Defendants failed to appear for the Court’s October 20, 2023 default hearing, and no one else appeared on Defendants’ behalf.
17. Notwithstanding the foregoing, as of the date of this filing, at no point hereto have any of the Defendants responded to the complaint herein, moved, or retained counsel on this matter to represent them herein.
18. It is respectfully submitted that the Defendants have been properly served, are aware of Plaintiff’s Complaint, and of pendency of this matter against them, and have failed or refused to appear or otherwise defend in this matter.
19. Defendant JESUS MANUEL DONES has been properly served and is aware of the Complaint against him and has failed to provide a response.

20. Defendant JMD PRECISION TECH LLC has been properly served and is aware of the Complaint against it and has failed to provide a response.

21. As of the date of this filing, Defendants have demonstrated no intention whatsoever to appear.

22. Accordingly, it is hereby:

**ORDERED, ADJUDGED AND DECREED:** That Plaintiff MANUEL VASQUEZ MARTINEZ, has a judgment against Defendants JMD PRECISION TECH LLC and JESUS MANUEL DONES, as an individual, jointly and severally, in the liquidated amount of **\$25,071.42**, representing \$12,535.71 in unpaid overtime wages pursuant to the FLSA/NYLL; and \$12,535.71 in liquidated damages pursuant to the FLSA/NYLL; amounting in all to \$25,071.42 in favor of Plaintiff and against Defendants, together with post-judgment interest accruing pursuant to 28 U.S.C. § 1961, from the date of entry of judgment, until judgment is paid in full.

Dated: White Plains, New York

June 10, 2024

A handwritten signature in blue ink, appearing to be "R. J. ...", is written over a horizontal line.

United States District Judge